

**MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
REGIONAL COUNCIL MEETING**

December 3, 1997
MAG Office
302 North 1st Avenue, Suite 200
Phoenix, Arizona

MEMBERS ATTENDING

Mayor Elaine Scruggs, Glendale, Chairman	*Councilmember Sara Moya, Paradise Valley
Vice Mayor Henry Beltran for Mayor Tom Morales, Avondale	*Mayor John Keegan, Peoria
Mayor Mike Baker, Buckeye	Vice Mayor Peggy Bilsten for Mayor Skip Rimsza, Phoenix
Mayor Hugh Stevens, Carefree	*Mayor Mark Schnepf, Queen Creek
Mayor Tom Augherton, Cave Creek	*President Ivan Makil, Salt River Pima-Maricopa Indian Community
*Mayor Jay Tibshraeny, Chandler	Mayor Sam Campana, Scottsdale
*Mayor Maggie Reese, El Mirage	*Mayor Joan Shafer, Surprise
*Mayor Jerold Miles, Fountain Hills	*Mayor Neil Giuliano, Tempe
*Mayor Chuck Turner, Gila Bend	Mayor Adolfo Gamez, Tolleson
Governor Mary Thomas, Gila River Indian Community	*Mayor Dallas Gant, Wickenburg
Mayor Cynthia Dunham, Gilbert	Mayor William Kosanovich, Youngtown
Councilmember Ken Porter for Mayor Bill Arnold, Goodyear	F. Rockne Arnett, ADOT
Mayor Frances Osuna, Guadalupe	Leo Mahoney for Chuck Coughlin, Citizens Transportation Oversight Committee
Mayor Richard Vasiloff, Litchfield Park	
Supervisor Don Stapley, Maricopa County	
Mayor Wayne Brown, Mesa	

*Those members neither present nor represented by proxy.

1. **Call to Order**

The meeting of the Regional Council was called to order by Chairman Elaine Scruggs at 5:07 p.m.

Chairman Scruggs introduced Vice Mayor Henry Beltran as proxy for Mayor Tom Morales from the City of Avondale, Vice Mayor Peggy Bilsten for Mayor Skip Rimsza from the City of Phoenix and Leo Mahoney for Chuck Coughlin from Citizens Transportation Oversight Committee.

Chairman Scruggs announced that if you have used the Norwest Bank garage, parking validation is available following the meeting from the MAG staff. Chairman Scruggs indicated that RPTA has generously agreed to provide transit tickets for individuals who used the bus to get to the Regional Council meeting. She stated that tickets are available following the meeting from Ken Driggs from the RPTA.

2. Pledge of Allegiance
3. Approval of October 29, 1997 Meeting Minutes

Chairman Scruggs noted that the minutes have been corrected to reflect citizen comment that was inadvertently omitted. She indicated that corrected copies of the minutes were provided, along with additional comments on agenda item nine Projects and Consultant Approval for MAG Pedestrian Design Assistance.

Mayor Wayne Brown moved, Rockne Arnett seconded, and it was unanimously carried to approve the minutes of the October 29, 1997 Regional Council meeting.

Blue Crowley spoke from the audience stating that the minutes also indicated that he is in favor of vehicle crushing, which is incorrect.

Mr. Bourey indicated that other corrections in the minutes can be heard during public comment, and the minutes can be amended by the Regional Council if necessary.

4. Call to the Audience

Chairman Scruggs reminded the Regional Council and the audience that there is a new timing system in place. The speaker will have a three minute time limit. She noted that when two minutes have elapsed, the yellow light will come on notifying the speaker that they have one minute to sum up. Chairman Scruggs stated that at the end of the three minute period, the red light will come on.

Chairman Scruggs recognized Blue Crowley for public comment. Mr. Crowley stated that air quality is a very big topic in this region. He noted that the members of Regional Council drive to this meeting and receive reimbursement for parking. The members of Regional Council are not setting a good example and are not doing their job to improve air quality.

Mr. Crowley stated that sunset on RPTA who has given four failed referendums and not given the public a regional plan as its directive. He also noted that the public is paying for the Regional Council dinner. Mr. Crowley indicated that the open meeting law should be observed at these dinners.

Ms. Dianne Barker requested that public comment be heard before the approval of the minutes. This would make the meeting run smoother with the approval of changes if necessary. Ms. Barker stated that at the last meeting she indicated that RPTA has four failed referendums and has not given the public a regional plan as its directive. She stated that we need a flexible, fast multi modal transit system, and should be working on how to get the job done. Ms. Barker indicated that the minutes of October 29, 1997 did not reflect that Mayor Skip Rimsza called for a vote on agenda item number 9 prior to hearing public testimony.

5. Showcase Agency

Chairman Scruggs stated that the showcase tonight will be the Town of Guadalupe. Chairman Scruggs introduced Mayor Frances Osuna to share with the Regional Council information about her community. Mayor Osuna thanked Chairman Scruggs and the members of Regional Council for the opportunity to

showcase the Town of Guadalupe. She indicated that she is excited about the video presentation and hopes everyone enjoys learning more about the Town of Guadalupe. She then introduced Mr. Enrique Serna, Manager and Mary Hoy, Assistant Manager. Mayor Osuna thanked Mr. Serna and Ms. Hoy for their hard work on this video.

The video gave a history of Guadalupe and it's customs and cultural history. The video highlighted the birth of Guadalupe along with the festivals and rituals. Guadalupe is the home of both the Yaqui Indian and Hispanic cultures. Our Lady of Guadalupe Church is an Arizona historical site which dates back to 1910. This beautiful landmark can be visited any day but is especially beautiful during the evenings, when the sunset surrounds the building with a warm glow.

Guadalupe has developed a reputation for the best tasting, most authentic Mexican food in the Valley. Along Avenida del Yaqui Street you will discover roadside fruit stands, numerous specialty shops, and one of the only authentic Mexican bakeries in the Valley.

The height of Guadalupe's shopping experience is El Tianguis Market. El Tianguis Market is a courtyard style shopping center with many unique shops and restaurants.

Guadalupe is off Interstate 10, east on Baseline Road exit, then south on Avenida del Yaqui Street.

Mayor Osuna thanked everyone for their time and attention, and hoped they enjoyed the presentation on Guadalupe. Chairman Scruggs stated that it was a well-done video.

6. Executive Director's Report

James Bourey stated that Congress passed a six-month extension for ISTEA Reauthorization. A long-term reauthorization will be an ongoing process for many more months. Mr. Bourey indicated that there needs to be a full reauthorization sometime next year.

Mr. Bourey informed the Regional Council that the survey results regarding the format and scheduling for the retreat are being compiled. The majority favor a day session. He indicated that January 23 appears to be the best date. Mr. Bourey stated that a decision will be made in the next couple of days and everyone will be contacted.

Mr. Bourey stated that the U.S. Census Advisory Committee's first meeting will be held tomorrow and Friday, December 4 and 5 in Washington. This meeting will include discussion on issues of implementation of the Census 2000. Mr. Bourey stated that it is estimated that it will cost Maricopa County \$10,000 in federal funding for every household missed. He indicated that 1990 had a significant under count, and Maricopa County lost out on potential Federal funding.

Mr. Bourey introduced several new MAG employees. Heidi Pahl, a Decision Support Analyst I from Toronto, and Christy Eusebio who came from the City of Phoenix to the MAG Fiscal Services Department.

Mr. Bourey stated that he would like to brief the Regional Council on important efforts in Air Quality. He indicated that Chairman Scruggs sits on the Air Quality Task Force Committee, along with chairing the PM-10 Subcommittee. At the last meeting, a summit was suggested to develop partnership and

understanding. Mr. Bourey indicated that staff is working on planning this summit. He noted that Friday, January 9, 1998 is a tentative date. Mr. Bourey also discussed a symposium with city/town managers in our same situation on PM-10. This symposium would be to discuss common issues and problems and what can be done to solve these problems together. This symposium could be scheduled in the second week in January.

Mr. Bourey stated that Roc Arnett brought up an issue in scheduling the ADOT Board meetings. These meetings are held throughout the state. Mr. Bourey noted that Mr. Arnett extended an invitation to anyone interested in co-hosting a meeting.

Mr. Bourey also indicated that with all the rain that is predicted for the Phoenix area, the structure and integrity of the bridges is an important issue. There are funds available for improvements.

Governor Thomas stated that the Gila River Bridge on I-10 needs to be considered. She indicated that a lot of rain and flooding could wipe out the bridge.

Chairman Scruggs thanked Mr. Bourey and asked if members had any questions. She indicated that the Air Quality Strategic Task Force has been appointed. If anyone else is interested in having a representative from their community on the PM-10 subcommittee, we need to know by Monday, December 8, 1997. Chairman Scruggs noted that any suggestions are due by December 8.

7. Approval of Consent Agenda

Chairman Scruggs stated that agenda items number 8, 9, 10, 11, 12, and 13 are listed on the consent agenda. Chairman Scruggs asked if any member wished to remove any consent item. No member responded.

Chairman Scruggs called for public comments on any consent agenda item.

Mr. Blue Crowley thanked the Chairman and Regional Council for the three minutes, but stated that it was not enough time to comment on more than one consent agenda item. Mr. Crowley stated that the public comment for each consent agenda item should be heard separately.

Mr. Crowley commented on consent agenda item 10 Clean Burning Fireplace Building Standard for New Fireplace Construction to Reduce Particulate Pollution. He indicated that there should not be drive-in restaurants or restaurants with char-broil cooking such as Burger King. Mr. Crowley indicated that he would like to volunteer for the Air Quality Task Force.

Mr. Crowley commented on consent agenda item 13 Revised 1997-1998 and 1998-1999 Social Services Block Grant Recommendations. He stated that he could not understand the graphs and charts, and that they need to be more clear.

Leo Mahoney commented on consent agenda item 10 Clean Burning Fireplace Building Standard for New Fireplace Construction to Reduce Particulate Pollution. He stated that the Arizona Department of Environmental Services stated that fireplaces contribute approximately 40% of the particulate pollution, and the Tribune stated that fireplaces contribute only 1% of particulate pollution.

Mr. Bourey explained that 40% refers to a very localized area such as a neighborhood for a particular point in time, and the 1% is for a larger regional area.

Supervisor Don Stapley moved, Mayor Mike Baker seconded, and it was unanimously carried to approve items 8, 9, 10, 11, 12 and 13 on the consent agenda.

8. FY 1998 Early Phase Input Opportunity Report

In accordance with the Intermodal Surface Transportation Efficiency Act, MAG conducts an early phase public involvement program. This year, a series of meetings was conducted in the central, northeastern, eastern and western areas of the MAG region. In conjunction with the meetings, informational open houses were held. Staff from MAG, the Regional Public Transportation Authority and the Arizona Department of Transportation were available to discuss issues and gather information on a number of topics such as freeway priorities, transit plans, rail transit possibilities, special transportation needs, Grand Avenue planning, bicycle planning and air quality. This information has been summarized in the report.

9. Projects and Consultant Approval for MAG Pedestrian Design Assistance

The Regional Council approved, by consent, to select Logan Simpson & Dye and the e group as on-call consultants to provide pedestrian design assistance and to select the following projects to receive the pedestrian design assistance: 1) City of Phoenix - \$85,000, Camelback East Primary Core; 2) City of Tempe - \$15,000, Midblock Crossing Demonstration Project; and 3) City of Glendale - \$20,000 Bell Road/Skunk Creek Pedestrian Crossing. In May 1997, the Regional Council approved the Unified Planning Work Program which included \$100,000 for pedestrian design assistance. A Request for Proposals (RFP) was advertised for on-call consulting assistance to assist with the pedestrian projects. The RFP also included \$20,000 in carry forward funds from the previous year pedestrian program. Two consultant proposals were received. In July 1997 the MAG member agencies were requested to submit projects to receive the design assistance. On August 28, 1997, the MAG Pedestrian Working Group recommended that Logan Simpson & Dye and the e group be selected as the on-call consultants. The Working Group also recommended that the cities receive the consultant assistance. The Management Committee concurred with these recommendations.

10. Clean Burning Fireplace Building Standard for New Fireplace Construction to Reduce Particulate Pollution

The Regional Council approved, by consent, that the Clean Burning Fireplace Standard for new construction be adopted by reference in local ordinances. In 1997, the Regional Council approved a Suggested List of Measures for Particulate Matter and Carbon Monoxide that included a measure for Clean Burning Fireplace Construction. The City of Phoenix has drafted a Model Fireplace Ordinance that requires clean burning fireplaces in new construction. On October 22, 1997, the MAG Building Codes Committee reviewed the Model Ordinance and recommended it as a building standard for incorporation into local codes. On October 23, the MAG Air Quality Policy Committee considered the action by the Building Codes Committee and recommended that the Clean Burning Fireplace Standard be adopted by the MAG member agencies by reference in local ordinances. The Management Committee concurred with these recommendations.

11. Approval of Draft July 1, 1997 MAG Municipality Resident Population Updates

The Regional Council approved, by consent, the July 1, 1997 MAG Municipality Resident Population Updates. MAG staff has prepared draft July 1, 1997, Municipality Resident Population Updates. The Updates were adjusted to a July 1, 1997 Maricopa County Resident Population control total approved by the Regional Council. The Updates were prepared using data supplied and verified by MAG member agencies and a method used over the past seven years. Upon approval by the Regional Council and the Director of the Arizona Department of Economic Security, these updates will be used to allocate \$23 million in lottery funds to local jurisdictions and to determine expenditure limitations where appropriate. On October 30, 1997, the MAG Population Advisory Committee recommended approval of the Updates. The Management Committee concurred with this recommendation.

12. MAG FY 1999 PSAP Equipment Funding Request and MAG FY 1999-2003 PSAP Equipment Program

The Regional Council approved, by consent, the MAG FY 1999 PSAP Funding Request and MAG FY 1999-2003 PSAP Equipment Program for submittal to ADOA. At their meeting on October 30, 1997, the MAG 911 Oversight Team unanimously recommended approval of the MAG FY 1999 PSAP Funding Request and MAG FY 1999-2003 PSAP Equipment Program. These documents reflect planned improvements for this region's 911 System. The funding request for FY 1998 is required to be submitted to the Arizona Department of Administration (ADOA) by December 15, 1997. At their November meeting, the Management Committee recommended approval of the funding request and the equipment program for submittal to ADOA.

13. Revised 1997-1998 and 1998-1999 Social Services Block Grant Recommendations

The Regional Council approved, by consent, the 1997-1998 and 1998-1999 Social Services Block Grant recommendations. The MAG Human Services Plan includes priority problems for children, adults, elderly and persons with physical and developmental disabilities. The recommended services and funding amounts address regional problems of these target groups. Due to an increased allocation to MAG locally planned Social Services Block Grant funds, revised 1997-1998 funding recommendations have been prepared, along with funding recommendations for 1998-1999. A total of \$4.8 million is planned by MAG. The Human Services Technical and Coordinating Committees and the MAG Management Committee have approved these recommendations. Federal reductions will result in the need to adjust the final service recommendations once the dollar amounts are known. The HSCC recommended that the same funding priorities remain.

14. MAG Transportation Management Systems Report: FY 1998 Update and Request for Projects for MAG Federal Funding

Paul Ward stated that his presentation has two parts. He noted that the first focus will be on a portion of the Management Systems report, and the second will refer to request for projects for MAG federal funding. Mr. Ward stated that the MAG Transportation Management Systems Report: FY 1998 Update has been prepared as a guidance document to assist member agencies with project selection. Apart from data from the six management systems, the report also incorporates socioeconomic data regarding Title VI issues to guide decision making. He noted that some of this data has been updated to incorporate results of the 1995 Special Census. Mr. Ward indicated that the agenda packet contains the Executive Summary of the report with Section 11 which deals with the Title VI considerations. He noted that the

data used to create the maps in Section 11 was taken from both 1990 and 1995 (Special) Censuses. As a result, the level of data available varies. Mr. Ward stated that the 1990 Census data is only shown down to a Traffic Analysis Zone level whereas the 1995 Special Census data is shown to an Enumeration District level (a smaller area) and this allows for more detail. The maps shown in Section 11 are provided to show patterns or areas where particular groups of under served members of our communities are located.

Mr. Ward moved on to the MAG Federal funding. He noted that it is estimated that approximately \$20 million in Congestion Mitigation and Air Quality Program funds (CMAQ) are expected to be available to program for local projects in the upcoming cycle of the MAG TIP. Of this amount, approximately \$5 million is projected for FY 2001, \$7 million for FY 2002 and \$8 million in FY 2003. Mr. Ward commented that these projections are heavily dependent on the results of the reauthorization of ISTEA. However, indications are that funding levels may be higher than for ISTEA, although the demands for these funds are also likely to increase.

Mr. Ward stated that December 26, 1997 is the deadline for submitting requests for MAG federal funding. He noted that any projects that have previously been approved by MAG for federal funds and which are shown as being funded with MAG-STP or CMAQ funds in the FY 1998-2002 MAG TIP, do not need to be resubmitted.

Mr. Ward stated that Street Committee representatives have been provided with the required forms for requesting federal funding for projects and with the guidance for completing them. Submittals for federal funding for Street, Intelligent Transportation System, Electronic Highway, Bicycle, Pedestrian and Transit projects are being requested from all jurisdictions and should be coordinated through each jurisdiction's Manager. Mr. Ward indicated that these projects will be rated and ranked by individual modal Technical Advisory Committees and a final list will likely be submitted back to the Regional Council for approval at the meeting next March or April.

Chairman Scruggs thanked Mr. Ward and asked if members had any questions.

Governor Thomas asked why the reservation was not included if it is considered part of Maricopa County. Mr. Ward stated that on many of the maps, areas with a density of 20 persons or less per enumeration district or 20 persons or less per square mile were excluded from the data. Governor Thomas indicated that her concern is that there are 3,000 residents along 51st Avenue and job opportunities call for transportation down 51st Avenue.

Chairman Scruggs recognized public comment on this agenda item.

Blue Crowley indicated that MAG and RPTA need to address transit together. Both agencies requested money, but not together. Mr. Crowley stated that there needs to be more public input recognized when it comes to transit and rail transit. He commented that there is no bike section on Route 13.

Peggy Bilsten moved, Mayor Gamez seconded, and it was unanimously carried to accept the MAG Transportation Management Systems Report: FY 1998 Update.

15. ADOT Funding Allocations for the FY 1999-2003 Highway Construction Program

Terry Johnson indicated that on October 2, 1997, the Arizona Department of Transportation (ADOT) Priority Programming Committee (PPC) considered a proposed revised priority programming process. The revised process would establish certain allocations for categories such as maintenance and system development. Mr. Johnson noted that the systems development category includes improvements to freeways. He stated that the draft ADOT process includes \$166 million for the system development category, with \$30 million of this category being allocated to MAG and the Pima Association of Governments. Mr. Johnson stated that we have expressed our concern to ADOT regarding the proposed distribution. ADOT has requested our ideas regarding what would be an equitable distribution. He stated that a letter has been sent to ADOT, suggesting a distribution of funds and a proposed schedule for completing the High Occupancy Vehicle Lanes by 2005. Mr. Johnson stated that MAG will continue to work with ADOT.

Mr. Johnson noted that on October 28, 1997, ADOT presented the revised priority programming process discussed at the PCC to the MAG Transportation Review Committee (TRC). The TRC recommended that a letter be sent to the State Transportation Board expressing concern about the lack of an ADOT funding commitment to the MAG region. Mr. Johnson informed the Regional Council that at the October Management Committee meeting, staff reported that a meeting was scheduled with ADOT to discuss issues regarding the distribution of funds. No action was taken by the Management Committee, pending the outcome of this discussion.

16. Revenue Projections and Programming Process for the ADOT Tentative Life Cycle Program

Eric Anderson stated that in January, the Arizona Department of Transportation and MAG are scheduled to release a Tentative Life Cycle Program for public review and comment. He noted that the Tentative Program is based on revenue projections and updated project cost figures. Mr. Anderson stated that preliminary results of the revenue projections indicate that there may be a small increase in funding. He stated that to program these funds, the priorities approved by the Regional Council in November 1996 and subsequently incorporated by ADOT into the Tentative Life Cycle Program as the segment completion dates will be used. It is anticipated that MAG will work with ADOT and use the MAG priorities to recommend changes to the MAG Freeway Program. Mr. Anderson noted that ADOT will be consulted regarding construction efficiencies and other project related changes. These changes will be presented to the Management Committee and Regional Council in January.

17. Air Quality Update

Lindy Bauer stated that on November 20, 1997 the Air Quality Policy Committee recommended the submittal of the Serious Area committed particulate measures for PM-10 and support technical analysis to the Environmental Protection Agency (EPA) by December 10, 1997. She noted that on March 20, 1998, the EPA is planning to propose a Federal Implementation Plan (FIP) for PM-10 for each jurisdiction in the MAG region. If acceptable measures are received by EPA from a city, EPA would propose removing the FIP. Ms. Bauer stated that MAG is suggesting recommending to EPA that the proposed FIP for PM-10 be considered for the nonattainment area as a whole instead of by each jurisdiction.

Ms. Bauer stated that on November 12, 1997, the MAG Management Committee recommended submitting the Serious Area Carbon Monoxide Plan after measures have been adopted in the 1998 Regular

Legislative Session and all necessary technical analyses and administrative procedures have been completed.

Chairman Scruggs asked if members had any questions. Governor Thomas asked if these plans apply to the Indian Communities. Ms. Bauer indicated that the committed particulate control measures for PM-10 do not apply to Indian Communities. To date, the Indian Communities have not submitted committed particulate control measures to MAG. Mayor Kosanovich asked what the advantage was to be considered as a group for the FIP instead of individually. Ms. Bauer stated that in the past, EPA has promulgated the federal plan on the nonattainment area as a whole. If EPA proposes the FIP by jurisdiction, this would represent a departure from prior practices, and potentially shed a negative perception on individual jurisdictions. She indicated that a better approach is to propose an entire nonattainment area.

Chairman Scruggs recognized public comments on this agenda item.

Blue Crowley stated that the alternative fuel is doing nothing to help the Air Quality in Arizona. He noted that one size does not fit all when it comes to PM-10. Desert dust is larger than PM-10, and the bottom line is that it all affects the lungs. Mr. Crowley indicated that a pilot plan should be initiated.

Mr. Crowley commented on agenda item number 15 ADOT Funding Allocations for the FY 1999-2003 Highway Construction Program regarding ADOT funding allocations for highway construction. He noted that funding should be focused on HOV lanes and bike tunnels for a multi modal system.

Chairman Scruggs asked if there was any additional discussion. No member responded.

Mayor Brown moved, Supervisor Don Stapley seconded, and it was unanimously carried to approve the submittal of the Serious Area committed particulate measures for PM-10 and support technical analysis to the Environmental Protection Agency by December 10, 1997 and to submit the Serous Area Carbon Monoxide Plan after measures have been adopted in the 1998 Regular Legislative Session and all necessary technical analyses and administrative procedures have been completed. Also to request to the EPA that the proposed Federal Area Implementation Plan for PM-10 be for the nonattainment area and not by individual jurisdiction.

18. Draft Graffiti Model Ordinance and Recommendations

Jana Sorensen stated that this agenda item refers to the recommendations of the Graffiti Working Group. These recommendations were brought to the Regional Council for information at the last meeting. She noted that significant progress has been made in painting out graffiti. Some of the cities in the Valley report they are spending \$2.5 million a year painting out and addressing graffiti. Ms. Sorensen stated that the City of Phoenix reports painting out over 8700 graffiti sites in the first half of 1997. They have revised their program to be more proactive and are painting out graffiti before calls are received. She noted that progress has been made in terms of visibility, but graffiti remains and it is costing a significant amount of money each year.

Ms. Sorensen briefly highlighted the recommendations. She indicated that the Graffiti Working Group is asking approval of a Draft Regional Model Graffiti Ordinance and recommendation to transmit it to the MAG member agencies. If these recommendations are approved, they will be sent to each of the local governments for consideration and perhaps modification to that individual city or town's needs. Ms.

Sorensen stated that the Draft Model Regional Ordinance is the ninth draft. It has been through a number of modifications, including a review by municipal attorneys. She stated that the component of the ordinance on which the most public comment was received is the “non-access” clause, which requires retailers to store spray paint and markers in such a way as to require customer assistance.

Ms. Sorensen stated that support for the ordinance has been demonstrated in a number of ways. The City of Phoenix and Tolleson have adopted this ordinance. Tempe, Glendale and Gilbert have begun formal consideration. She noted that the County Attorney’s survey of eight retailers operating for one year under the non-access clause of the Phoenix ordinance found that the retailers experienced less theft of spray paint, and in one case, actually sold more to customers because they had the opportunity to speak with them and determine what they needed. Ms. Sorensen indicated that at the Management Committee meeting, an additional reason to support restricting access to spray paint for children and youth was mentioned in testimony and by the Phoenix City Manager. Many children sniff the spray paint to get “high” which causes severe damage to their health.

Ms. Sorensen stated that there is some urgency to action on this item. City Councils should have time to consider the Draft Model Graffiti Ordinance before the next legislative session. Ms. Sorensen thanked the Regional Council for their time.

Mayor Kosanovich asked if individual cities and towns have the option to adopt this ordinance and modify it to their needs. He noted that small towns and retirement communities may not benefit from this ordinance. Ms. Sorensen explained the misconception regarding retailers. She noted that some retailers even reported that the non-access ordinance helps sales.

Mr. Bourey stated that this is only a model ordinance and there is no obligation on the jurisdiction to adopt this ordinance. Each city or town council can make that decision based on the circumstances in their jurisdiction.

Mayor Brown asked Ms. Sorensen to explain the difference between non-access and lock up. Ms. Sorensen explained that lock up is when spray paint is placed in a cage under lock and key. Non-access would be out of public access - behind a counter or in a back room.

Vice Mayor Bilsten stated that she would like to share the City of Phoenix experiences with this Draft Model Graffiti Ordinance. She noted that when an ordinance was being considered by Phoenix, she voted against this ordinance initially because of the small businesses. Vice Mayor Bilsten stated that she admits that she was wrong about the ordinance. The ordinance passed and it made an incredible difference. She indicated that all the others who opposed this ordinance did not have a problem with it after adoption. Vice Mayor Bilsten encouraged the Regional Council to seriously consider the adoption of the Draft Model Graffiti Ordinance.

Mayor Gamez supported Vice Mayor Bilsten. The City of Tolleson also adopted this ordinance and graffiti problems are down.

Chairman Scruggs recognized public comment on this agenda item.

Xavier Brizar, from Pioneer Ford, stated that fighting the war on graffiti is a serious commitment. He noted that he is in full support of this Draft Ordinance. Mr. Brizar stated that one can of spray paint can

cause up to \$8,800 worth of damage in clean up cost, and the cities, town and residents are picking up the tab. He stated that he takes graffiti very seriously, and this draft ordinance is the right thing to do.

Gerald Abmont stated that he supports the Draft Model Graffiti Ordinance which should be put in place and enforced. He noted that this ordinance will stop the theft of spray paint, and will stop children from inhaling it.

Governor Thomas noted that her concern is with the gang problem and black market seller. She stated that black market sellers will come to the Indian communities with cases of spray paint and sell it. Governor Thomas indicated that the law needs to be strict on black market sellers. Chairman Scruggs indicated that the individual jurisdictions can decide on the severity.

Vice Mayor Bilsten moved, Mayor Gamez seconded, and it was carried to approve the Youth Policy Advisory Committee recommendations, including the Draft Graffiti Model Ordinance for consideration by the MAG member agencies, with Roc Arnett not voting.

19. Open Space Survey Update

James Bourey stated that in February 1997, the Regional Council approved funding for a survey of public attitudes toward funding open space acquisition and management. In June 1997, the Regional Council approved the Mellman Group to conduct the survey. Mr. Bourey briefed the Regional Council on the results. He stated that most people preferred buying land as a way to protect the natural open spaces. He indicated that this survey consisted of 800 randomly sampled voters in Maricopa County and the results were overwhelming in support of funding open space. Preferred funding was sales tax and bonds.

Chairman Scruggs asked if members had any questions. No member responded. She announced that there will be a light dinner for the members of the Regional Council and their staff who have confirmed their dinner reservations. Chairman Scruggs stated that this dinner will be held in Suite 300. A floor plan was provided describing the different food stations that have been set up.

The meeting was adjourned at 6:50 p.m.

Chairman

Secretary